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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of)	MM DOCKET NO. 92-6
)	
NORMANDY BROADCASTING CORP.)	File No. BRH-910129UR
)	
For Renewal of License of)	
Station WYLR (FM))	
Glens Falls, New York)	
)	
and)	
)	
LAWRENCE N. BRANDT)	File No. BPH-910430MB
)	
For A Construction Permit)	
For a New FM Station)	
Glens Falls, New York)	

To: Administrative Law Judge
Richard L. Sippel

ORIGINAL
FILE

MASS MEDIA BUREAU'S OPPOSITION
TO PETITION FOR EXTENSION OF TIME

1. On June 29, 1992, the Mass Media Bureau received a telefax transmission from Christopher P. Lynch, sole principal of Normandy Broadcasting Corp. ("Normandy"), captioned Petition for Extension of Time.¹ The Mass Media Bureau submits the following comments in opposition.

2. Normandy's petition asks for "an extension of time to change all Documentary Exhibits and Signed Frozen Sworn Written Testimony from the July 9 date called for in Order issued March 25, 1992, plus subsequent dates of July 21, (Notification) and August 4 (Admissions)." Normandy states a desire to "keep" the

¹ The certificate of service accompanying the pleading indicates mail service to the Presiding Judge, the Bureau, David Tillotson (counsel for Lawrence N. Brandt), and the Secretary of the Commission.

September 1 hearing date. Petition, at para. 1. The request does not indicate what new dates Normandy wants established, although Normandy avers, at para 2, that "[t]here is more than adequate time available after a 3 week postponement of the Exchange, to allow for an orderly, timely scheduling of Notification and an Admissions Session prior to the hearing date" Taken as a whole, the Petition appears to seek a three week extension of the date for the exchange of exhibits and a corresponding change in the dates for notification of witnesses and for an admissions session.

3. The Bureau submits that there is no reason whatsoever for a last-minute change in procedural dates in the above-captioned proceeding. Furthermore, contrary to Normandy's assertions, an extension of the procedural dates would prejudice at least one party, namely, the Bureau. A three week extension of each procedural date would place the date for witness notification on August 11, 1992, a date when both Bureau counsel will be in the hearing for MM Docket 91-204 before this Presiding Judge. Similarly, Bureau counsel are not available for an admissions session on August 25, 1992 because of that hearing. Indeed, in reliance upon the procedural dates established in the instant proceeding at the May 21, 1992, conference, the Presiding Judge and the Bureau have adjusted their trial schedules to accommodate MM Docket 91-204. See Order released June 18, 1992 (FCC 92M-689). A further adjustment at this late date would be disruptive in the extreme.


4. Normandy has repeatedly sought delays of the above-captioned proceeding for various reasons, most often in order to enable Normandy to amass the funds necessary to retain counsel. Those attempts have been properly rejected by the Presiding Judge; most recently, after extensive discussion at the May 21, 1992, conference. Normandy must not now be allowed to grant itself the sought-after extension via the instant captive request.

5. Accordingly, the Bureau opposes Normandy's Petition for Extension of Time.

Respectfully submitted,
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Chief, Mass Media Bureau


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Chief, Hearing Branch


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July 2, 1992

CERTIFICATE OF SERVICE

Michelle C. Mebane, a secretary in the Hearing Branch Mass Media Bureau, certifies that she has, on this 2nd day of July, 1992, sent by regular United States mail, U.S. Government frank, copies of the foregoing **"Mass Media Bureau's Opposition to Petition for Extension of Time"** to:

David Tillotson, Esq.
Arent, Fox, Kintner, Plotkin & Kahn
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036

Christopher P. Lynch
President, Normandy Broadcasting Corp.
217 Dix Avenue
Glens Falls, N.Y. 12801

Michelle C. Mebane
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